

The Honorable Robert S. Lasnik

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON, AT SEATTLE

VICTOR T. NELSON,)	
)	
Plaintiff,)	
)	NO. CV05-0109RSL
)	
v.)	STIPULATED
)	PROTECTIVE
DUNLAP TOWING COMPANY and)	ORDER
INTERNATIONAL ORGANIZATION)	
OF MASTERS, MATES AND PILOTS,)	
PACIFIC MARITIME REGION,)	
)	
Defendant.)	
)	

The parties, by and through their respective counsel, stipulate as follows:

1. Steven Ross (“Ross”) regularly serves as counsel to defendant Master, Mates & Pilots, Pacific Maritime Region (“the Union”). Ross is a potential witness in this matter. The parties agree that the Union has the right to assert the attorney-client privilege with respect to communications between Ross and the Union and its officers.

2. The parties desire to have Ross available as a witness. The Union is amenable to waiving the attorney-client privilege with respect to communications

bearing directly on the matter at issue -- the role taken by Ross on behalf of the Union with respect to investigating and advancing the termination grievance filed by the plaintiff.

3. The parties agree that Ross may be questioned only with respect to the matter set forth above, or other matters that do not raise the attorney-client privilege. The parties expressly agree that by waiving the privilege with respect to the matter addressed above in No. 2, the Union does not waive the attorney-client privilege with respect to any other issues or matters.

4. This order may be modified by the Court upon stipulation of the parties or on the motion of any party, but only with respect to the issue of whether interrogatories, requests for admission, or deposition questions raise the matter addressed in No. 2 above.

DATED this ____ day of April, 2005.

DAVIS GRIMM PAYNE & MARRA

FRANK FREED SUBIT & THOMAS
LLP

By:_____

William Grimm, WSBA# 6158
Attorney for Defendant Dunlap Towing

By:_____

Cliff Freed, WSBA #14348
Attorneys for Defendant MM&P

JELSING TRI WEST & ANDRUS PLLC

By:_____

William Tri, WSBA# 14688
Attorney for Plaintiff Victor Nelson

ORDER

The Court having considered the foregoing stipulation of the parties. It is hereby ordered that the stipulation of the parties is confirmed in all of its particulars.

DATED this 26th day of April, 2005.

Robert S. Lasnik

Robert S. Lasnik
United States District Judge

Presented by:

FRANK FREED SUBIT & THOMAS LLP

By: _____

Clifford Freed, WSBA #14348
Attorneys for Defendant MM&P

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